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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JAIYAUNA RAYSHAWN YOAKUM, an
individual; and JOHNTOVIA PRESTON, an
individual; collectively,

Plaintiffs,

v.

HOBBY LOBBY STORES, INC., a foreign
corporation; PETEFISH GENE PETEFISH,
an individual; and DOES I to X, inclusive;
collectively,

Defendants.

Case No.: 2:23-cv-01740-APG-DJA

**STIPULATION AND ORDER TO
EXTEND DEADLINE FOR
PLAINTIFFS TO FILE RESPONSES TO
DEFENDANTS' MOTIONS FOR
PARTIAL SUMMARY JUDGMENT
[ECF Nos. 39 and 40] and FOR
DEFENDANTS' REPLIES THERETO**

(First Request)

Pursuant to Fed. R. Civ. P. ("FRCP") 6(b)(1) and Local Rules IA 6-1 and IA 6-2, Plaintiffs JAIYAUNA RAYSHAWN YOAKUM and JOHNTOVIA PRESTON, by and through their attorneys of the law firm of LAWRENCE & LAWRENCE LAW, PLLC, and Defendants HOBBY LOBBY STORES, INC. and PETEFISH GENE PETEFISH, by and through their attorneys of the law firm of OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C., hereby submit this Stipulation and Order to Extend the Deadline for Plaintiffs to File Responses to Defendants' Motions for Partial Summary Judgment [ECF Nos. 39 and 40].

This is the first stipulation to extend the indicated deadline following the filing by the Defendants of their respective motions on May 21, 2025, and this stipulation is presented to the

1 Court in advance of the current deadline of June 11, 2025. For the foregoing reasons and as is
2 more fully explicated below, the Parties stipulate to and respectfully request that this Court extend
3 the noted deadlines. This request for extension is made in good faith and not for the purpose of
4 delay.

5 I. LEGAL STANDARD

6 Fed. R. Civ. P. Rule 6(b)(1) governs extensions of time and allows, in relevant part, that
7 “[w]hen an act may or must be done within a specified time, the court may, for good cause, extend
8 the time: (A) with or without motion or notice if the court acts, or if a request is made, before the
9 original time or its extension expires.” If additional time for any purpose is needed, the proper
10 procedure is to present a request for extension of time before the time fixed has expired. *Canup*
11 *v. Mississippi Val. Barge Line Co.*, 31 F.R.D. 282 (W.D. Pa. 1962). An extension of time may
12 always be sought and is usually granted on a showing of good cause if timely made under
13 subdivision (b)(1) of [FRCP 6]. *Creedon v. Taubman*, 8 F.R.D. 268 (N.D. Ohio 1947). Also, a
14 district court possesses the inherent power to control its own docket. *Hamilton Copper & Steel*
15 *Corp. v. Primary Steel, Inc.*, 898 F.2d 1428, 1429 (9th Cir. 1990); *Olivia v. Sullivan*, 958 F.2d
16 272, 273 (9th Cir. 1992).

17 LR IA 6-1 additionally requires that a motion to extend time must state the reasons for the
18 extension requested and will not be granted if requested after the expiration of the specified period
19 unless the movant demonstrates that the failure to file the motion before the deadline expired
20 resulted because of excusable neglect. LR 26-3 requires that a motion to extend any date set by
21 the discovery plan, scheduling order, or other order must, as well as satisfying the requirements
22 of LR IA 6-1, demonstrate good cause for the extension.

23 II. ARGUMENT

24 Plaintiffs’ counsel has been actively working to timely complete the response to the
25 pending motions, however, a brief extension has become necessary. During the initial response
26 period, Plaintiff’s counsel was out of the country for eight days on a previously scheduled and
27 unavoidable trip, during which trip Plaintiffs’ counsel unfortunately suffered a dislocated left
28 middle finger and broken middle metacarpal, which injury and treatment therefor have created

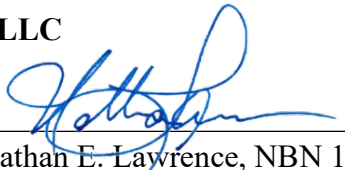
1 some difficulties and delays following counsel's return to the country. The parties stipulate that
2 each of the noted events constitute good cause for the requested extension.

3 Accordingly, the parties stipulate that the time for Plaintiffs to file their response to
4 Defendants pending Motions for Partial Summary Judgment should be extended from June 11,
5 2025, to June 20, 2025. Defendants' Reply brief deadline should therefore be extended to
6 Monday, July 14, 2025.

7
8 **IT IS SO STIPULATED.**

9 DATED this 9th day of June 2025.

10 **LAWRENCE & LAWRENCE LAW,**
11 **PLLC**

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21 *Attorneys for Plaintiffs*

DATED this 9th day of June 2025.

**OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.**

/s/ Noel M. Hernandez

Molly M. Rezac, NBN 7435

Kathryn C. Newman

Noel M. Hernandez

*Attorneys for Defendants Hobby Lobby
Stores, Inc. & Petefish Gene Petefish*

22 **IT IS SO ORDERED.**

23
24 
25 ANDREW P. GORDON
26 CHIEF UNITED STATES DISTRICT JUDGE

27 DATED: June 10, 2025
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